

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark E. Herrmann  
Serial No: 10/728,727  
Confirmation No: 1722  
Filed: December 5, 2003  
For: GAME OF CHANCE AND SYSTEM AND METHOD FOR  
PLAYING GAMES OF CHANCE  
Examiner: Harper, Tramar Yong  
Art Unit: 3717

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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being electronically filed in accordance with § 1.6(a)(4), on the 1<sup>st</sup> day of March, 2011.

/Thomas J. McGinnis /  
Thomas J. McGinnis, Reg. No. 58,026

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Commissioner for Patents

**SUMMARY OF TELEPHONE CONFERENCE WITH EXAMINER**

Sir:

Please enter the following Summary into the record for the above referenced application.

Summary of Telephone Conference with Examiner

Applicant thanks Examiner Harper for the courtesies extended during the telephone interview conducted on February 17, 2011 with the Applicant's representative Thomas McGinnis. During the telephone interview the patentability of the claims in light of the cited references was discussed. In particular, Applicant's representative asserted that when considering non-obviousness, arguments directed to advantages not disclosed in the specification should be considered in light of MPEP 716.02(f). No agreement regarding the patentability of the claims was reached.

Respectfully submitted,

*Mark E. Herrmann, Applicant*

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